

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 10 December 2004. Responsive to the objections and rejections made in the Official Action, Claim 2 has been cancelled and its limitations incorporated into currently amended Claim 1. Claim 5 has been amended to make it depend on Claim 3 rather than Claim 1.

The Examiner rejected Claim 1 under 35 U.S.C. §103(a) as being unpatentable over the Fig.10 prior art device disclosed by applicant in view of Schmidt, Holmdahl, and Tyner.

Additionally, the Examiner has graciously indicated that Claims 2-6, objected to as being dependent upon a rejected base claim, are "...allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Responsive to this, Claim 2 is cancelled and Claim 1 is amended to incorporate the limitations of Claim 2. It is Applicant's belief that by merging Claim 2 into Claim 1, the claimed invention is now patentably distinguishable over the prior art. Therefore, it is believed that the Examiner's rejection of Claim 1 under 35 U.S.C. §103(a) is no longer appropriate and the currently amended claims should be allowable. It is further believed that the currently amended Claims 3-6 should be allowable as they now depend upon the amended Claim 1 which is believed to now be allowable for the above reasons.

Examiner raised objections to Claims 5 and 6 because there were no antecedent 'first', 'second', and 'third tube' in Claim 1 for the 'fourth', 'fifth', and 'sixth tube' claimed in Claim 5. Responsive to this objection, Claim 5 is currently amended to depend on Claim 3 wherein there is antecedent basis for the 'first', 'second', and 'third tube'. It is therefore believed that Claims 5 and 6 are now in condition of allowance.

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Reply to Office Action of 12/10/04

In view of the foregoing amendments and remarks, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

(For: ROSENBERG, KLEIN & LEE)

A handwritten signature in black ink, appearing to read "H. Sernaker", written over a horizontal line.

Harry Sernaker

Registration #50,595

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Suite #101
3458 Ellicott Center Drive
Ellicott City, MD 21043
(410) 465-6678

Customer No.
04586